

United States Bankruptcy Court  
Eastern District of Virginia  
Alexandria Division

In Re: BCN#: 17-11124-BFK  
Mi Ja Park a/k/a Mija Park a/k/a Mi Park a/k/  
a Mi J Park Chapter: 13

Debtor

Wells Fargo Bank, N.A.  
or present noteholder,  
Movant/Secured Creditor,

v.

Mi Ja Park a/k/a Mija Park a/k/a Mi Park a/k/a  
Mi J Park

Debtor

Joong Don Park  
Codebtor

and

Thomas P. Gorman  
Trustee  
Respondents

**ORDER GRANTING IN REM RELIEF FROM STAY AS TO REAL PROPERTY**  
**COMMONLY KNOWN AS 3850 Farr Oak Circle, Fairfax, VA 22030**

THIS MATTER was before the court on the 31<sup>st</sup> day of May, 2017, on the Motion of Wells Fargo Bank, N.A. for Relief from the Automatic Stay of 11 U.S.C. § 362(a), the argument of counsel, and the record herein; and

Lindsey C. Kelly, Esquire  
VSB #71314  
Gregory N. Britto, Esquire  
VSB #23476  
Daniel Eisenhauer, Esquire  
VSB #85242  
William M. Savage, Esquire  
VSB #06335  
Malcolm B. Savage, III, Esquire  
VSB #91050  
Thomas J. Gartner, Esquire  
VSB #79340  
Shapiro & Brown, LLP  
501 Independence Parkway, Suite 203  
Chesapeake, Virginia 23320  
(757) 687-8777  
15-248609

IT FURTHER APPEARING to the Court, based on a review of the pleadings and argument of counsel, that the filing of the petition herein was part of a scheme to delay, hinder, or defraud creditors which involved multiple bankruptcy filings affecting the real property described hereinafter.

IT IS, HEREBY, ADJUDGED, ORDERED, AND DECREED that the automatic stay imposed by 11 U.S.C. § 362(a) is modified to permit the movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at 3850 Farr Oak Circle, Fairfax, VA 22030, and is more particularly described as follows:

Lot 80, Section 2, FARRCROFT, as the same appears duly dedicated, platted and recorded in Deed book 10983 at page 939, among the Land Records of Fairfax County, Virginia

which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property; and

IT IS, FURTHER ADJUDGED, ORDERED, AND DECREED, that an equitable servitude be created for a period of 180 days from entry of this Order, so that in the event of a future filing by the Debtor, or any other person or entity claiming an interest in the property, the automatic stay of 11 U.S.C. § 362(a) shall not attach to the subject property and shall not create a stay as to this secured creditor and the enforcement of its security interest in the subject property.

Jun 22 2017

Date

/s/ Brian F. Kenney

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The Honorable Judge Brian F. Kenney  
United States Bankruptcy Judge

Notice of Judgment or  
Order Entered on Docket June 22, 2017

I ask for this:

/s/ Malcolm B. Savage, III

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Lindsey C. Kelly, Esquire  
Gregory N. Britto, Esquire  
Daniel Eisenhauer, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Thomas J. Gartner, Esquire  
Counsel for Movant

I certify that I have served the proposed Order upon all necessary parties to the action by first class mail, postage prepaid, on the 9<sup>th</sup> day of June, 2017.

/s/ Malcolm B. Savage, III

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Lindsey C. Kelly, Esquire  
Gregory N. Britto, Esquire  
Daniel Eisenhauer, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Thomas J. Gartner, Esquire  
Counsel for Movant

Copies are to be sent to:

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WEON GEUN KIM  
8200 GREENSBORO DR., STE. 900  
MCLEAN, VA 22102

Thomas P. Gorman  
300 N. Washington St. Ste. 400  
Alexandria, VA 22314

Mi Ja Park  
3850 Farr Oak Circle  
Fairfax, VA 22030

Joong Don Park  
3850 Farr Oak Circle  
Fairfax, VA 22030

**CERTIFICATION**

Pursuant to Local Rule 9022-1(C), I hereby certify that all necessary parties have endorsed the above order.

/s/ Malcolm B. Savage, III

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Lindsey C. Kelly, Esquire  
Gregory N. Britto, Esquire  
Daniel Eisenhauer, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Thomas J. Gartner, Esquire  
Attorney for Movant

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